

Received: April 7, 2017
2:49pm
Office of the Town Clerk

TOWN OF DURHAM
USE OF TOWN OF DURHAM OPEN SPACE LAND

The following regulations are hereby established for use of open space land owned by the town of Durham:

1. All motorized vehicles except for maintenance and emergency vehicles, are prohibited, except in established parking areas and on maintained access roads, unless specifically approved by the Durham Conservation Commission and/or allowed by lease or other legal agreement.
2. All open-space areas are closed to public use from one hour after sunset to one hour before sunrise with the exception of:
 - a. Tent camping conducted by non-profit organizations that have received the approval of the Durham Conservation Commission;
 - b. Skating in the public skating area adjacent to Route 68 (Wallingford Road) that the public may use in season until midnight (12:00 a.m.);
 - c. Parking at the White Farm by the Durham Agricultural Fair Association in accordance with its lease; and
 - d. Other uses consistent with the functions and uses of the property approved by the Durham Conservation Commission and/or allowed by lease or other legal agreement.
3. Commercial activities are not allowed on open-space properties unless specifically approved by the Durham Conservation Commission and/or allowed by lease or other legal agreement.
4. No person shall do, or cause to be done, any of the following on open space property owned by the town of Durham:
 - a. Throw, discard or deposit garbage or other litter except in public receptacles;
 - b. Destroy, deface, disfigure, injure, displace or remove any buildings, bridges, tables, benches, railings, paving, public signs or notices, fences or boundary markers and public utilities including buried water lines;
 - c. Excavate and/or remove by other means soil, rock, stones, plants, wood or other materials;
 - d. Damage or mark any plant, pick flowers, dig or otherwise disturb grass areas, or in any other way injure the natural elements of the open-space areas;
 - e. Discharge or otherwise place into any water body (stream, pond, pool etc.) on or flowing into, an open-space property, any substance, matter or thing that will or may cause pollution or otherwise impair the quality of such waters.
 - f. Remove, molest, kill, trap or chase any wildlife nor remove eggs or nests of wildlife with the exception of licensed fishermen and hunters during State established fishing and hunting seasons. State Conservation and town Animal Control Officers and those licensed by the state as a "Nuisance Wildlife Control Operator" are exempted from this regulation.
 - g. Consume or possess alcoholic beverages without written approval of the Board of Selectmen and all insurance and indemnification requirements are met.

5. Discharge of firearms are prohibited, other than by licensed hunters who hunt during State approved hunting seasons and obey all State hunting regulations. Hunting of deer and turkey also require a permit issued through the Durham Conservation Commission's hunting lottery. Firearms used on open space land are restricted to shot guns.
6. Activities that create a hazard to human safety or threaten the destruction of property are prohibited. Igniting of fireworks or any other explosive is prohibited and no fires may be kindled, without approval of the Durham Conservation Commission.
7. Scheduled group activities by Durham organizations and out-of-town organizations will require a permit from the Durham Conservation Commission, insurance certificate and user's indemnification as determined by the towns Insurance Carrier. Use of any public-address system or amplifying equipment must be approved by the Durham Conservation Commission. Organizations conducting group activities may be further required to post a refundable deposit and/or pay a rental fee to ensure proper maintenance of the property.
8. Any person violating any section of these regulations shall be subject to the penalties in § 1-10 and § 1-12 of the Durham Code of Ordinances.
9. These regulations shall become effective when approved by Town Meeting and published according to law.